

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
- v. -	:	CONSENT PRELIMINARY ORDER OF FORFEITURE/ <u>MONEY JUDGMENT</u>
JEANCARLOS URENA,	:	
Defendant.	:	S1 21 Cr. 132-8 (AKH)
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WHEREAS, on or about June 7, 2022, JEANCARLOS URENA (the “Defendant”), was charged in a four-count Superseding Information, 21 Cr. 132-8 (AKH) (the “Information”), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349 (Count One); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Two); aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A and 2 (Count Three); and conspiracy to commit mail fraud, in violation of Title 18, United States Code, Section 1349 (Count Four);

WHEREAS, the Information included a forfeiture allegation as to Counts One, Two and Four of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One, Two, and Four of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One, Two, and Four of the Information;

WHEREAS, on or about June 7, 2022, the Defendant pled guilty to Counts One through Four of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One, Two, and Four of the

Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One, Two and Four of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One, Two and Four of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$284,565.34 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts One, Two, and Four of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One, Two, and Four of the Information of proceeds that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Patrick R. Moroney of counsel, and the Defendant, and his counsel, Peter Batalla, Jr., Esq., that:

1. As a result of the offenses charged in Counts One, Two and Four of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$284,565.34 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One, Two, and Four of the Information of proceeds that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, JEANCARLOS URENA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to United States Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, United States Customs and Border Protection, or its designee the Office of Fines, Penalties, and Forfeiture shall be authorized to deposit the payment on the Money Judgment into the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.


6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

PATRICK R. MORONEY
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2330

3/30/2023

DATE


JUANCARLOS URENA

By: 

JEANCARLOS URENA

3/29/2023

DATE

By: 

PETER BATALLA, JR., ESQ.
Attorney for Defendant
888 Grand Concourse, Suite 1N
Bronx, NY 10451

3/29/2023

DATE

SO ORDERED:

/s/ Alvin Hellerstein

HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE

March 30, 2023

DATE